



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,109	05/14/2001	La Tondra Murray	RSW9-2000-0147-US1	8729

7590 12/23/2003

Mark D. Simpson, Esquire
Synnestvedt & Lechner
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107-2950

EXAMINER

LEWIS, ADAM M

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 12/23/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary

Application No.

09/855,109

Applicant(s)

MURRAY, LA TONDRA

Examiner

Adam M. Lewis

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Arcuri et al. ("Arcuri", US# 6,121,968).

As per claim 9, Arcuri teaches a method of providing a computer graphical user interface, utilizing a screen interface and a pointing device controlling a pointer, to perform a plurality of related functions, comprising:

selecting a selection box through the appropriate positioning and manipulation of the pointer by way of said pointing device, said selection box configured to display a selection set of items (Arcuri, Fig. 2B, 2D);

selecting a hot list box through the appropriate positioning and manipulation of said pointer with respect to said selection box, said hot list box configured to display a subset of the items displayable in said selection set (Arcuri, Figs. 2A, 2D; col. 7, lines 23-38); and

selecting at least one of said items from said subset using said pointing device.

The selection box disclosed by Arcuri is the box bounded by the bottom of the title bar, the left and right sides of the window, and by the menu bar below the selection set of items (Arcuri, Fig. 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arcuri.

As per independent claim 1, Arcuri teaches an improved graphical user interface (GUI) having a GUI selection box capable of displaying a selection set of items when a selection menu option is manipulated in a first manner, the improvement comprising:

a hot list box displaying a subset of items from said selection set of items when said selection menu option is manipulated in a second manner (Arcuri, Fig. 2A; col. 11, lines 44-46).

Arcuri does not teach a selection button that is manipulated. OFFICIAL NOTICE is taken that the use of a button to provide further options is well known in the art. It would have been obvious to use a button in place of a menu option in the invention of Arcuri because it would provide more visual feedback to the user by clearly defining the options in the selection box.

As per claim 2, which is dependent on claim 1, Arcuri further teaches an improved GUI as set forth in claim 1, wherein said subset of items displayed in said hotlist box is selectable by a user of said GUI (Arcuri, Figs. 2A, 2D; col. 7, lines 23-38).

As per claim 3, which is dependent on claim 2, Kraynak further teaches an improved GUI as set forth in claim 2, wherein said subset of items displayed in said hot list is displayed in an order selectable by the user (Arcuri, Figs. 2A, 2D; col. 7, lines 23-38).

As per claim 4, which is dependent on claim 2, Arcuri further teaches an improved GUI as set forth in claim 2, wherein a quantity of items displayed in said hot list box is selectable by the user (Arcuri, Figs. 2A, 2D; col. 7, lines 23-38).

Dependent claims 12 and 14 are similar in scope to claim 4, and is therefore rejected under similar rationale.

As per claim 5, which is dependent on claim 2, Arcuri further teaches an improved GUI as set forth in claim 2, wherein a method of determining which of said items from said selection set are to be displayed in said hot list is selectable by the user (Arcuri, col. 1, lines 46-56). By allowing a user to drag menu items to and from the

menu and use those menu items, the user is determining which menu items be displayed.

As per claim 6, which is dependent on claim 5, Arcuri further teaches an improved GUI as set forth in claim 5, wherein said method of determining which of said items from said selection set are to be displayed in said hot list comprises listing the most recently selected items (Arcuri, col. 7, lines 39-51).

As per claim 7, which is dependent on claim 5, Arcuri further teaches an improved GUI as set forth in claim 5, wherein said method of determining which of said items from said selection set are to be displayed in said hot list comprises listing the frequently selected items (Arcuri, col. 8, lines 67-75).

As per claim 8, which is dependent on claim 5, Arcuri further teaches an improved GUI as set forth in claim 5, wherein said method of determining which of said items from said selection set are to be displayed in said hot list is applied to said hot list only after a predetermined number of items are to be displayed in said hot list (Arcuri, col. 7, lines 33-38).

As per claim 10, which is dependent on claim 1, Arcuri does not teach the method of claim 1, wherein said complete menu is selected by right-clicking a button on said selection menu using said pointing device.

However, Arcuri teaches accessing the long menu by clicking on a specific section of the menu notated by chevron marks (Arcuri, col. 10, lines 41-48). It would have been obvious to one skilled in the art at the time of invention to use a section of the menu rather than a right-click to access the long menu because a specific section of

the menu would provide the user with immediate visual feedback as to the existence of more menu options.

Independent claims 11 and 13 are similar in scope to claim 1, and is therefore rejected under similar rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ezekiel et al. (US# 5,625,783) teaches an automated system and method for dynamic menu construction in a graphical user interface.

Conrad et al. (US# 5,539,870) teaches a computerized system and process for interactively managing a distributed database system.

Conrad et al. (US# 5,748,929) teaches a program storage device and computer program product for interactively managing a distributed database system.

Kalyanswamy et al. (US# 5,761,640) teaches a name and address processor.

Miller (US# 5,805,911) teaches a word prediction system.

O'Leary et al. (US# 5,867,162) teaches methods, systems, and computer program products for controlling picklists.

O'Leary et al. (US# 5,950,000) teaches an integrated third party software tool that controls pulldown and pullright menus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Lewis whose telephone number is 703-305-0720. The examiner can normally be reached on M-Th 7:00-4:30, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

al